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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,436	02/13/2004	Shimon Elbaz	03-4169	8766
28143	7590	02/08/2005	EXAMINER	
NATTER & NATTER 25 WEST 43 STREET NEW YORK, NY 10036			ZARROLI, MICHAEL C	
			ART UNIT	PAPER NUMBER
			2839	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/779,436

Applicant(s)

ELBAZ, SHIMON

Examiner

Michael C. Zarroli

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/13/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country, in public use, or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-8, 10-19 rejected under 35 U.S.C. 102(b) as being clearly anticipated by applicant cited art Cox, Jr..

Cox discloses a liquid tight connector (col. 1 lines 27-28) for non-metallic electrical conduit (col. 4 lines 7-8) the connector comprising a one-piece unitary body having a bore (fig. 3) therethrough, the body including a sleeve (20), a ferrule skirt (10, 12) coaxial with the sleeve, the ferrule skirt having an inner wall (18), the connector having an annular channel (fig. 3 at 90) defined by the sleeve and the inner wall, a thread formed on the inner wall (fig. 9 at 94), the thread extending radially into the channel, the sleeve being dimensioned such that it may be received within an end of a length of selected conduit (fig. 2) and the conduit may be slipped over the sleeve and into the channel (fig. 2), whereby upon rotation of the connector relative to

the conduit, the thread engages an outer surface of the conduit and draws the conduit into the channel (col. 6 lines 32-37).

Regarding claims 2 and, 13-15 Cox discloses (figures 5 or 10) that the channel includes a blind end and the sleeve includes an outward flare adjacent the blind end, whereby the end of the conduit is tightly compressed and sealed in the channel due to engagement between the flare and the inner wall (fig. 2).

Regarding claims 3 and, 4 Cox discloses that the body is formed of thermoplastic (fig. 11 at 120) or PVC (col. 7 lines 21-22).

Regarding claim 5 Cox discloses that the thread comprises a buttress thread (fig. 2), whereby high resistance against tensile force separation is attained.

Regarding claim 6 and 17 Cox discloses that the body further includes a nipple (fig. 2 at 72), the bore extending through the nipple, whereby the connector may be fastened to an electrical junction box (col. 1 lines 9-12) with a conventional nut (86) inserted over one end of the nipple (fig. 2).

Regarding claims 7 and 18 Cox discloses that the body includes a transverse flange (82, 84), the flange being positioned at the other end of the nipple, the flange being dimensioned to engage an exterior surface of an electrical junction box when the nipple is inserted through an opening in the electrical junction box (col. 3 lines 48-53).

Regarding claim 8 Cox discloses that the sleeve and nipple are coaxial (fig. 9).

Regarding claims 10 and, 19 Cox discloses that the ferrule skirt (10, 12) extends from the transverse flange (82, 84).

Regarding claim 11 Cox discloses that the outer surface of the ferrule skirt includes a plurality of planar faces (fig. 1) whereby the body may be gripped by a suitable tool.

Regarding claims 12 and 16 Cox discloses the limitations in these independent claims in the rejection of claims 1-8 and 10-11 as outlined above; no new limitations are revealed.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 9 rejected under 35 U.S.C. 103(a) as being unpatentable over admitted art Cox Jr.

Cox does not disclose that the connector could be in the shape of an elbow.

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At the time the invention was made it would have been obvious to one of ordinary skill in the art to modify the shape of the connector of Cox from linear to elbow shape. A motivation for this change could be to enable connection to junction boxes in restricted locations. Well settled case law has shown that merely changing the shape of an object especially one that could be flexible is not in and of itself patentable subject matter *In re Dailey*, 149 USPQ 47 (CCPA 1976).

5. Claim 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Cox Jr.

Coz does not specifically disclose the size of thread.

At the time the invention was made it would have been obvious to one of ordinary skill in the art to modify the threads of Cox to be 1mm or less. A motivation for this change would be to adjust the rate and force at which the conduit is drawn into the connector. Claimed variations in relative dimensions, which do not specify a device, which performs or operates any differently from the prior art, do not patentably distinguish applicant's invention. Gardner v. TEC Systems, Inc., 725 F.2d 1338 (Ct. App. Fed. Cir. 1984).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bawa et al teaches a connector with a channel and threads projecting from an inner wall to draw a conduit into the connector.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Zarroli whose telephone number is 571-272-2101. The examiner can normally be reached on 7:30 to 3:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, T.C. Patel can be reached on (571) 272-2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael C. Zarroli
Primary Examiner
Art Unit 2839

MCZ
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